

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jun 21, 2016**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

KOREY LEINGANG,

Plaintiff,

v.

CAROLYN W. COLVIN,

Defendant.

No. 1:15-CV-3142-SMJ

**ORDER GRANTING STIPULATED  
MOTION FOR REMAND**

Before the Court, without oral argument, is the parties Stipulated Motion for Remand, ECF No. 17. Pursuant to sentence four of 42 U.S.C. § 405 (g), the parties are seeking to reverse and remand the Commissioner's decision finding Plaintiff not disabled.

After reviewing the record and relevant authority, the Court is fully informed.

Accordingly, **IT IS HEREBY ORDERED:**

1. The parties Stipulated Motion for Remand, ECF No. 17 is **GRANTED**.
2. Under sentence four of 42 U.S.C. § 405 (g), the Commissioner of Social Security's decision finding Plaintiff not disabled is **REVERSED** and **REMANDED** to the Commissioner for further administrative proceedings.

1       **3.**     On remand, the Appeals Counsel shall instruct the Administrative Law  
2             Judge to (1) update the record and provide the opportunity for a new  
3             hearing; (2) reconsider Plaintiff's residual functional capacity; (3)  
4             include in the residual functional capacity assessment inability to kneel,  
5             crouch, and stoop, or in the alternative, explain reasons to reject the  
6             opinion of examining physician, Marie Ho, M.D., that Plaintiff should  
7             avoid kneeling, crouching, and stooping; and (4) reconsider Plaintiff's  
8             ability to perform past relevant work and other work, receiving  
9             vocational expert testimony as necessary.


10       **4.**     Plaintiff will be entitled to reasonable attorney fees and costs, pursuant  
11             to 28 U.S.C. § 2412 (d), upon a timely and proper application to this  
12             Court.

13       **5.**     The Court shall enter final judgment accordingly.

14       **6.**     The case shall be **CLOSED**.

15       **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
16     provide copies to all counsel.

17       **DATED** this 21st day of June 2016.

18                               
19                             \_\_\_\_\_  
20                             SALVADOR MENDEZ, JR.  
                              United States District Judge